

*(Following are the Responses to Post-Hearing Questions from the Department of Homeland Security (DHS). This material was not available at the time the hearing was printed. Not all questions in this document were intended for DHS. Questions specifically intended for DHS appear in **bold text**.)*

**Questions for the Record -- TTIC - Joint Hearing of July 22, 2003**  
**(Committees on Judiciary and Homeland Security)**

**Budget and Appropriations**

1. Identify all agencies that contributed funds to pay for the build-out of TTIC's present facility within CIA headquarters?
  - (a) What is the approximate percentage of that total build-out cost paid (or to be paid) by each participating agency?
  - (b) Did any other entity provide funding for TTIC's FY03 non-personnel costs?
2. At the joint hearing, Mr. Brennan testified that TTIC management is now in consultations regarding a FY04 appropriation for the TTIC.
  - With whom or with what entities are those consultations occurring?
3. Does TTIC management hope to have a single appropriation for TTIC?
4. Will TTIC's operating expenses be shared among its four equal partners?
5. Does TTIC management expect any FY04 funds to be appropriated directly to the TTIC?
6. Does TTIC management expect that each of TTIC's participating agencies will seek an appropriation to cover its own TTIC participation?
7. Has TTIC allocated the non-personnel costs for TTIC among its participating agencies (*e.g.*, "taxed" them for a portion of TTIC's non-personnel costs)?
  - (a) If so, how (*i.e.*, by what formula)?
  - (b) Is each TTIC participating agency "taxed" at the same rate?
8. What entity will rent (or purchase) the space for TTIC's new, non-CIA facility?
9. What entity or entities will provide funding to rent and build-out that new, non-CIA facility? (Please identify funding source by agency, purpose that agency is funding, and proportion of funding for that particular purpose that each source agency will provide.)

## **TTIC's role**

1. Does any officer assigned to TTIC conduct any collection activities?
2. Is it anticipated that, in the future, any officer assigned to TTIC will conduct any collection activities?
  - *If so, what collection activities and under what authority?*
3. Would TTIC require specific legislative authorization in order to engage in any collection activity?
- 4. Is there any role assigned to TTIC that the Department of Homeland Security could not lawfully perform, through IAIP or some other entity or combination of entities?**
  - **If so, what is it and what legally precludes DHS's exercise of that role?**

*The Department of Homeland Security is responsible for dealing with threat-related information that pertains to threats to the homeland. As such, DHS' intelligence analysis is singularly focused on the protection of the American homeland. The Terrorist Threat Integration Center focuses on international terrorism threats to the United States' interest, whether at home or overseas.*

*TTIC uses this information to create an overall threat picture, while DHS focuses on the intelligence it receives directly from IC members, DHS component entities, and TTIC to focus on Homeland Security and communicate threats to state, local, tribal, major city, and private sector officials..*

5. Precisely what is the division of responsibilities between CIA's Directorate of Intelligence and TTIC with respect to the analysis of terrorist threat-related foreign intelligence information?
  - (a) What is the difference in the work a CIA (Directorate of Intelligence) analyst performs in the DCI's Counterterrorist Center (CTC) and the work the same analyst would conduct if s/he were assigned to TTIC?
  - (b) Would a CIA analyst have access to more or less information when assigned to TTIC than s/he would if working in the DCI's CTC on the same analytic project?
  - (c) Does TTIC now generate any analytic product formerly produced by the CIA's Directorate of Intelligence - and are there plans for TTIC to begin to generate any such product? (In each case, please identify.)
  - (d) Is the Department of Homeland Security an addressee on all terrorist threat-

related analysis produced by CIA's Directorate of Intelligence? Produced by TTIC?

**6. The priority mission of the Bureau of Customs and Border Protection (BCBP) is to prevent terrorists and terrorist weapons from entering the United States. (Statement of Commissioner Bonner to Senate Appropriations Committee Subcommittee on Homeland Security, 5/8/03).**

- Will BCBP be given routine access to TTIC-generated analytic products?

*Yes. BCBP analytical elements have access to TTIC-Online.*

**7. In his confirmation hearing statement, Secretary Ridge told the Senate Governmental Affairs Committee that: "a fundamental priority in our mission must be to analyze the threat, while concurrently and continuously assessing our vulnerabilities. The Department is structured in such a way as to efficiently conduct this task."**

- Given the prominence of TTIC as a venue for analyzing terrorist threat-related information and the growth of its analyst cadre relative to that of DHS/IA, is it still accurate to assert that *DHS* is structured efficiently to conduct not only vulnerability assessments, but also threat analysis?

*Yes. DHS' IAIP Directorate has the primary responsibility for matching the assessment of the risk posed by identified threats and terrorist capabilities to our nation's vulnerabilities. DHS receives the information necessary and has the people in place to conduct threat analyses through its IA component along with vulnerability assessments, through its IP component.*

**8. Will the Information Analysis and Infrastructure Protection Directorate of the Department of Homeland Security get terrorism related foreign intelligence information only from TTIC?**

- Will any of TTIC's participating agencies provide information it has collected to DHS exclusively through TTIC? (If so, please specify and explain.)

*No. IAIP receives terrorism related foreign intelligence information as it pertains to protecting the American homeland. It receives this information directly from the Central Intelligence Agency and Department of Defense and other members of the Intelligence Community, as well as from TTIC. IAIP and any other involved members of the IC receive reports from TTIC that incorporate intelligence from all IC members.*

*We are unaware of any information that is shared solely with TTIC.*

**9. For FBI and CIA, individually: Is the Information Analysis and Infrastructure**

Protection Directorate of the Department of Homeland Security receiving all FBI and CIA reports (including information reports containing intelligence which has not been fully evaluated), assessments, and analytical information relating to threats of terrorism against the United States? (Ref. Homeland Security Act, sec. 202(b)(2)(A).)

**10. In February of this year, in a Joint Statement of the TTIC Senior Steering Group, its Chairman told the Senate Government Reform and Oversight Committee that: “At TTIC’s end-state, all national-level terrorist threat-related analysis will be coordinated with the Director of TTIC or his/her authorized representative.”**

- (a) Department of Homeland Security (DHS) Deputy Secretary England was a member of the TTIC Senior Steering Group. Is it the Department’s intention to coordinate all its terrorist threat-related analysis through Director/TTIC?**
- (b) The coordination requirement quoted above suggests that if Director/TTIC disagrees with a DHS/IA analytic conclusion on the significance of terrorist-related information, DHS/IA could not disseminate its conclusion. Correct?**
- (c) How does the quoted coordination requirement help ensure that the Department’s Information Analysis sub-directorate serves the independent analytic role the Homeland Security Act requires?**
  - A.) *IA works closely and in coordination with TTIC. However, in accordance with the Homeland Security Act of 2002, IA will conduct its own independent assessments that are shared with TTIC and other members of the Intelligence Community.*
  - B.) *Absolutely not. DHS has statutory requirements to conduct independent analysis and assessment.*
  - C.) *IAIP independently analyzes not only the reports received from TTIC, but the information it receives from the broader Intelligence Community as well as its fellow DHS entities.*

### **Management issues**

1. TTIC’s current Director is a career CIA officer.
  - (a) Is there any reason why the Director of TTIC could not, in the future, be drawn from any of TTIC’s other participating agencies?
  - (b) Is there, at present, any agreement or requirement that successive heads of TTIC be drawn from TTIC’s different member agencies (or communities) on a

revolving basis?

**2. We understand that a number of analysts working in the IAIP directorate of the Department of Homeland Security (DHS) are detailed to DHS from other agencies.**

**(a) Is DHS assigning any of those analysts to TTIC?**

**(b) If so, how many and what agency will pay their salaries?**

*No. Only internal DHS personnel are assigned to TTIC.*

**3. Is there a standard duration of an analyst's assignment to TTIC?**

**(a) If so, what is it?**

**(b) If not, who decides or what determines the duration of such an assignment?**

*The standard duration for an IAIP analyst's assignment to TTIC remains to be determined but is envisioned to be between 18 and 24 months.*

**4. Has TTIC management declined to accept any analyst who was proposed for assignment to TTIC by any of TTIC's member agencies?**

- If so, how many and on what general grounds?

**5. How and by whom are analysts assigned to TTIC evaluated?**

- Who has the authority to increase their pay and to promote them?

### **Agency participation**

#### **DoD**

**1. Has the Department of Defense (DoD) assigned any of its units to participate in TTIC?**

- If so, which unit or units and as from what date?

**2. How many analysts from DoD member agencies (including any uniformed military service) has DoD assigned to TTIC? How many non-analyst personnel?**

**3. Are there plans to assign specific DoD units or numbers of personnel to TTIC? If so, what units/number of analysts will be assigned and by what date?**

4. What is the total value of any equipment or supplies DoD has supplied to TTIC?
5. Will DoD seek a specific appropriation for FY04 and succeeding years in order to fund its participation in the TTIC?
6. Does any DoD policy or regulation affect any DoD entity's ability to share information it originated with its non-DoD counterparts in the TTIC?
  - (a) Does any such policy or regulation govern the dissemination of DoD-originated information by the TTIC?
  - (b) The Administration's February 14, 2003 "Fact Sheet" on the TTIC states that "TTIC participants will continue to be bound by all applicable privacy statutes, Executive Orders, and other relevant legal authorities for protecting privacy and our Constitutional liberties."
    - Is it correct, then, that non-legal departmental policies will be revised as necessary to promote the success of TTIC's mission?
7. By a March 4, 2003 Memorandum of Understanding, the Director of Central Intelligence, on behalf of all Intelligence Community member entities, the Secretary of Homeland Security, on behalf of all entities within the Department of Homeland Security, and the Attorney General, on behalf of all federal law enforcement entities, agreed to broad information sharing mandates.
  - Does that Memorandum of Understanding on information sharing apply to DoD entities that are member entities of the Intelligence Community?

## DHS

### **1. How many full-time analysts are now employed by the DHS Directorate of Information Analysis and Infrastructure Protection?**

- **How many full-time analysts are now employed in non-IAIP DHS entities?**

*The Office of Information Analysis cannot release any information at the unclassified level regarding IA programmatic due to our budget being managed in the NFIP. IA would be happy to schedule a classified brief at which point such information may be discussed. The remaining DHS entities, including the United States Secret Service, Border and Transportation Security Directorate, and the United States Coast Guard, employ over 800 analysts.*

### **2. How many full-time analysts employed by DHS are now assigned to TTIC?**

- **How many of those are DHS/IAIP analysts?**

*Currently, 9 full-time DHS analysts are assigned to the Terrorist Threat Integration Center. The Information Analysis and Infrastructure Protection Directorate currently has one representative at TTIC.*

**3. Please answer the above four questions on the basis of projections for 12/31/03.**

*This information would now be outdated. Please see the above answer for current numbers.*

**4. Does DHS plan to seek an annual appropriation to fund its participation in TTIC?**

*At this time, DHS does not plan to seek additional funds for its participation in TTIC.*

**5. The Homeland Security Act requires the Under Secretary for IAIP to “disseminate, as appropriate, information analyzed by the Department ... to agencies of State and local governments and private sector entities ... in order to assist in the deterrence, prevention, preemption of, or response to, terrorist attacks against the United States” (sec. 201(d)(9)).**

**(a) Will TTIC now exercise that function for DHS/IAIP?**

**(b) Will TTIC itself disseminate any of its analytic products directly to state, local, or private sector officials? Which? To whom? How?**

**(c) Will DHS disseminate TTIC products to state/local officials? If so, as TTIC products and without annotation or other changes?**

- A.) No. DHS is the appropriate channel of communication to State and Local government and Private Sector entities.*
- B.) No. TTIC only disseminates its products to members of the Intelligence Community.*
- C.) TTIC products are combined with IAIP’s own analysis which is then turned into actionable intelligence to be shared with appropriate State and local and private sector entities.*

**FBI**

**1. As of today, how many full-time employees of the FBI who are analysts has the FBI assigned to work full-time in the TTIC?**

- **What is the duration of such FBI employee-analysts’ assignment to the TTIC?**

**2. How many of its non-analyst employees has the FBI assigned to work full-time in TTIC?**

3. Has the FBI assigned any of its units to the TTIC?
4. Will the FBI's entire Counterterrorism Division be collocated with the DCI's Counterterrorist Center at TTIC's new, non-CIA headquarters, site?
  - When does the FBI expect to move its CTD to the new TTIC facility?
5. Is FBI-originated "raw" (unprocessed) reporting available to non-FBI analysts in TTIC on the same basis as it is to FBI analysts assigned to TTIC?
6. Is *non*-FBI-originated "raw" (unprocessed) reporting available to FBI analysts at TTIC on the same basis as it is to employees of the originating agency assigned to TTIC?
7. Does the role of an FBI analyst assigned to TTIC differ from that of an FBI analyst assigned to the DCI's Counterterrorist Center?
  - If so, how?

CIA:

1. Is CIA-originated reporting, including "raw" (unprocessed) reporting, routinely made available to non-CIA employee analysts assigned to TTIC for analysis?
  - If so, subject to what, if any, limitations or constraints?
2. Is non-CIA-originated reporting, including "raw" (unprocessed) reporting, routinely made available for analysis to non-CIA employee analysts assigned to TTIC?
  - (a) If so, are DHS employee analysts assigned to TTIC among those who are given routine access to this CIA information for analysis?
  - (b) Subject to what, if any, limitations or constraints?
3. Has any CIA unit been assigned to the TTIC? (If so, what unit?)
4. Are there plans to assign any CIA unit to the TTIC? (If so, what unit?)
5. Will the DCI's Counterterrorist Center (CTC) be fully collocated with the FBI's Counterterrorism Division (CTD) at TTIC's new, non-CIA headquarters, facility?

**TTIC's output**

1. Please list the generic titles of all analytic products TTIC routinely produces.



- If TTIC will produce other analytic products in the future, please provide their generic titles and indicate when TTIC will begin producing them.
2. Which of the above products are new - original with TTIC - and which are products that other agencies used to produce?
  3. Could a terrorist threat-related analytic product reach the President or his most senior advisors without first having been evaluated and approved by TTIC?
  4. If so, could such an analytic product be based on information to which TTIC was not given access?

**5. The Homeland Security Act requires the Department's Under Secretary for Information Analysis and Infrastructure Protection to "disseminate, as appropriate, information analyzed by the Department ... to agencies of State and local governments and private sector entities ... in order to assist in the deterrence, prevention, preemption of, or response to, terrorist attacks against the United States" (sec. 201(d)(9)).**

**(a) Will TTIC itself disseminate any of *its* analytic products directly to state, local, or private sector officials? Which? To whom? How?**

**(b) Will *DHS* disseminate TTIC products to state, local, and private sector officials?**

- **If so, will DHS disseminate them as TTIC products and without annotation, additions, or editorial changes?**

- A.) *No. TTIC does not communicate with entities outside of the Intelligence Community.*
- B.) *TTIC products are combined with IAIP's own analysis which is then turned into actionable intelligence to be shared with appropriate State and local and private sector entities.*

### **TTIC's future**

**1. When the Information Analysis and Infrastructure Protection Directorate of the Department of Homeland Security (DHS) reaches its statutorily mandated capabilities, won't TTIC be redundant?**

*No. TTIC will focus on the entire threat picture, including threats to U.S. interest overseas, whereas IAIP's mandate is to concentrate on threats to the American homeland and to provide key information to relevant stakeholders.*

**2. If there is any respect in which TTIC will, at that time, be redundant, is it intended that that portion of TTIC will "sunset" in favor of the indigenous DHS capability?**

- If not, please explain why not.
3. Once the DHS can meet its statutory mandate to “identify and assess the nature and scope of terrorist threats to the homeland,” what purpose will TTIC serve that one or more other federal agencies do not also serve?

### **TTIC and information sharing**

Section 3(f) of the March 4 Memorandum of Understanding on information sharing (MOU) signed by the Secretary of Homeland Security, Attorney General, and Director of Central Intelligence provides that “when fully operational,” TTIC “shall be the preferred, though not the exclusive, method for sharing [terrorist threat-related] information at the national level” and that “TTIC information-sharing mechanisms and procedures shall be consistent with the DHS Legislation” (*i.e.*, the Homeland Security Act).

#### **For DHS:**

- 1. Is TTIC the Department’s preferred method for sharing terrorist threat-related information with other federal agencies?**
- 2. Are you aware of any type of information that is shared *solely* through TTIC?**
- 3. If so, is there a written agreement to that effect? (If so, please provide a copy.)**
  1. *TTIC is one method the Department uses to share terrorist threat-related information with other federal agencies. However, the Department communicates with other Intelligence Community members and other DHS entities, and routinely shares information with other federal agencies in its issuance of warnings, advisories, and information bulletins.*
  2. *We are unaware of any information that is shared solely with TTIC.*

### **TTIC and access to information**

The President has granted the Department of Homeland Security the authority to clear its employees for access to classified information and required DHS to recognize and give effect to the clearances of those who became DHS employees when their agencies were merged into DHS (E.O. 13284, sec. 19(a) and (c)).

- 1. Is TTIC recognizing and giving full effect to the clearances of DHS-employed analysts that DHS assigns to work in the TTIC?**

**2. Is TTIC imposing any additional requirements on such analysts?**

**3. If so, please provide the committees with a copy of any document that sets forth any such requirements?**

1. *Yes.*
2. *TTIC requires assigned analysts to have sat for, and passed, a recent polygraph examination.*
3. *TTIC maintains these documents.*

### **TTIC and threat warnings**

The Homeland Security Act gives the Under Secretary of Homeland Security for IAIP “primary responsibility for public advisories related to threats to homeland security” and “in coordination with other agencies,” requires that he provide “specific warning information and advice ... to State and local government agencies and authorities, the private sector, other entities, and the public” (sec. 201(d)(7)).

**1. Does TTIC have a role in connection with such public advisories relating to threats to homeland security?**

· **Does TTIC have a role in providing specific warnings to state, local, and private sector officials and to the public?**

**2. Could TTIC issue a threat warning directly to state officials?**

1. *TTIC communicates solely with members of the Intelligence Community. TTIC receives all threat-related information from IC members and distributes reports to the appropriate members.*
2. *TTIC does not communicate with State and local officials or the Private Sector.*